

# United States District Court

Southern

DISTRICT OF New York

Advanced Global Technology, LLC

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

XM Satellite Radio, Inc.

07 CV 3654

JUDGE RAKOFF

TO: (Name and address of defendant)

XM Satellite Radio Inc.  
1500 Eckington Place NE  
Washington, DC 20002  
(Serve)

Registered Agent  
XM Satellite Radio, Inc.  
Corporation Service Company  
80 State Street  
Albany, NY 12207  
(Mail)

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Molly S. Boast  
Debevoise & Plimpton LLP  
919 Third Avenue  
New York, NY 10022

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

MAY 08 2007

DATE

(BY) DEPUTY CLERK

FROM :

FAX NO. : 17183880583

May, 09 2007 12:51PM P3

AO 440 (Rev. 10/93) Summons in a Civil Action - SDNY WEB 4/00

**RETURN OF SERVICE**

Service of the Summons <sup>*</sup> and Complaint was made by me <sup>1</sup>	DATE May 9, 2007
NAME OF SERVER (PRINT) Peter M. Vlahakis	TITLE Project Assistant
Check one box below to indicate appropriate method of service	
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____	
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____	
<input type="checkbox"/> Returned unexecuted: _____	
<input checked="" type="checkbox"/> Other (specify): Service was completed by leaving a copy with James O. Smith, Vice President of XM Radio, on May 9, 2007 at 3:30 p.m. at 1500 Eckington Place, NE, Washington, DC 20002. Mr. Smith said he was authorized to accept service.	


**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL
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**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on May 9, 2007  
Date

  
Signature of Server  
555 13th Street, N.W., Suite 1100E  
Washington, DC 20004  
Address of Server

\* With Disclosure Statement, Judge Rakoff's Rules and the SDNY Procedures For ECF, Guidelines For ECF and 3rd Amended Instructions For Filing.

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.